

Docket No.: S1389.70015US00
(PATENT)

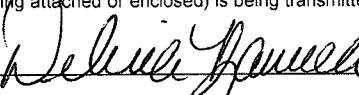
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Fusari
Serial No.: 10/632,690
Confirmation No.: 3636
Filed: August 1, 2003
For: METHODS AND APPARATUS FOR VERIFYING CONTEXT
PARTICIPANTS IN A CONTEXT MANAGEMENT SYSTEM IN A
NETWORKED ENVIRONMENT
Examiner: J. R. Swearingen
Art Unit: 2445

Certificate of Electronic Filing Under 37 CFR 1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: 12/22/09

Signature: 

(Delina Ranucci)

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Prior to issuance of a patent in connection with the above-referenced application, Applicant respectfully requests entry of the enclosed comments.

Remarks begin on page 2 of this paper.

REMARKS

This paper addresses both the Examiner's Statement of Reasons for Allowance and the objection to the drawings included in the Notice of Allowability mailed October 5, 2009.

A. Examiner's Statement Of Reasons For Allowance

The Examiner's Statement of Reasons for Allowance ("Statement") indicates that arguments set forth in Applicant's last response filed July 27, 2009 are persuasive, and purports to paraphrase certain limitations of the claims which are neither taught nor suggested by the prior art of record. Applicant agrees that each independent claim patentably distinguishes over the prior art of record. However, Applicant does not concede that the paraphrased limitations are the only ones not taught nor suggested by the cited references.

In addition, while the Examiner understandably sought to paraphrase why the independent claims are allowed, Applicant respectfully points out that the manner in which the limitations are paraphrased does not coincide precisely with the language in any of the claims. In this respect, the Notice of Allowability states that:

Verifying at least one remote application is emulated on a first client which executes at least one client application, and may belong to a context with the at least one client application, using the four-step method as indicated in the independent claims, is not taught or suggested by the prior art.

Applicant respectfully points out that none of the independent claims recites these limitations as paraphrased. For example, independent claims 4, 16 and 27 do not recite limitations directed to verifying that at least one remote application is emulated on a first client which executes at least one client application, and may belong to a context with the at least one client application. Rather, as pointed out in the response of July 27, 2009, each of independent claims 4, 16 and 27 patentably distinguishes over the prior art of record because none of the cited references teaches verifying that first and second remote applications are emulated on a same client, and may belong to a same context, as each of claims 4, 16 and 27 recites.

As a further example, none of the independent claims recites a “four-step method.” For example, each of independent claims 1 and 4 recites a method comprising certain acts, not steps, each of independent claims 13 and 16 recites at least one computer-readable medium encoded with instructions for performing a method comprising certain acts, and each of claims 25 and 27 recites a context management server. None of these claims even uses the word “step.”

In summary, Applicant agrees that each independent claim distinguishes over the prior art of record. Applicant believes that the Statement of Reasons for Allowance is not intended to limit or restrict the manner in which any independent claim should be interpreted in any way, or to suggest that any of the claims should be limited by words not expressly included herein. If the Examiner disagrees, he is respectfully requested to contact the undersigned to discuss how the record may be clarified in this respect.

B. Objection To The Drawings

The Notice of Allowance also includes an objection to the drawings for purportedly being hand-drawn, illegible and not in condition for publication. A review of PAIR indicates that formal drawings for the application were submitted and accepted on April 25, 2008. In addition, the objection to the drawings set forth in the Office Action of January 25, 2008 was not maintained in the subsequent Office Action of August 8, 2008. Nevertheless, formal drawings are submitted again for the Examiner's consideration. The Examiner is respectfully invited to contact the undersigned if any further corrections are believed to be required.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 23/2825 under Docket No. S1389.70015US00 from which the undersigned is authorized to draw.

Dated: 12/22/09

Respectfully submitted,

By 
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